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SAFEWAY INC. and SAFEWAY
BENEFIT PLANS COMMITTEE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

DENNIS M. LORENZ, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SAFEWAY, INC.; SAFEWAY BENEFIT
PLANS COMMITTEE; GREAT-WEST
FINANCIAL RPS LLC; and DOES 1 through
50, inclusive,

Defendants.

Case No. 3:16-cv-04903-JST

**JOINT STIPULATION TO CONTINUE
CASE DEADLINES AND ~~PROPOSED~~
ORDER**

Assigned to Hon. Jon S. Tigar

Plaintiff, Dennis M. Lorenz (“Plaintiff”), and Defendants, Safeway Inc. (“Safeway”) and Safeway Benefit Plans Committee (“Benefit Plans Committee”), collectively (“Defendants”), through their counsel, hereby stipulate and agree that:

WHEREAS, Plaintiff filed a complaint against Defendants and Great-West Financial RPS LLC (“Great-West”) on August 25, 2016;

WHEREAS, Plaintiff filed an Amended Complaint on September 16, 2016 (Docket No. 7);

WHEREAS, Plaintiff filed a Second Amended Complaint on November 21, 2016 (Docket No. 31);

WHEREAS, the Court dismissed the claims against Great-West with prejudice and consequently removed Great-West as a defendant in this action on March 13, 2017 (Docket No. 58);

WHEREAS, Plaintiff filed a Third Amended Complaint on March 31, 2017 (Docket No. 66);

WHEREAS, after the Court found this matter to be related to the case of *Maria Karla Terraza v. Safeway Inc., et al.* (No. 16-cv-03994-JST) (see Docket No. 26), the Parties in this matter and *Terraza* streamlined their discovery process;

WHEREAS, the Parties have exchanged initial disclosures, engaged in written discovery, and are in the process of scheduling depositions;

WHEREAS, based on the initial disclosures and the deposition notice the plaintiff in *Terraza* served on Defendants, it is estimated that numerous depositions may be scheduled for mutually agreeable dates and times;

WHEREAS, although the Parties have been working diligently and cooperatively in the discovery process and in preparing this case for trial, the Parties believe that, given the number of depositions and the scope of discovery, the current schedule does not provide adequate time to complete discovery and submit dispositive motions. The Parties therefore respectfully request that the Court continue the case deadlines as detailed below;

WHEREAS, the Parties have previously made one request to extend the deadlines for completing discovery and filing dispositive motions, and the pretrial and trial dates (Dkt. 78);

WHEREAS, the Parties do not propose any change in the trial schedule or the remainder of

1 the pretrial schedule;

2 NOW, THEREFORE, the Parties, through their respective counsel, hereby stipulate, subject
3 to the approval of the Court, to the following schedule:

4 April 27, 2018 – Deadline to complete fact discovery

5 May 11, 2018 – Deadline for expert disclosures

6 May 30, 2018 – Deadline for expert rebuttal

7 June 8, 2018 – Deadline to complete expert discovery

8 June 21, 2018 – Deadline to file dispositive motions

9 IT IS SO STIPULATED.

10 DATED: February 16, 2018

TRUCKER ♦ HUSS

11 By: /s/R. Bradford Huss
12 R. Bradford Huss
13 Attorneys for Defendants
14 SAFEWAY INC. and SAFEWAY BENEFIT
PLANS COMMITTEE

15 Dated: February 16, 2018

SCHNEIDER, WALLACE, COTTRELL, KONECKY,
WOTKYNs, LLP

16 By: /s/Kyle G. Bates
17 Kyle G. Bates
18 Attorneys for Plaintiff
DENNIS M. LORENZ

19 I attest that my firm has obtained concurrence in the filing of this document from Kyle G. Bates.

20 DATED: February 16, 2018

21 TRUCKER ♦ HUSS

22 By: /s/R. Bradford Huss
23 R. Bradford Huss
24 Attorneys for Defendants
25 SAFEWAY INC. and BENEFIT PLANS
26 COMMITTEE SAFEWAY INC.
27
28

~~PROPOSED~~ ORDER

Good cause exists for an order continuing the deadlines for completing fact and expert discovery, including submitting expert disclosures and rebuttals, and filing dispositive motions to the following dates:

April 27, 2018 – Deadline to complete fact discovery

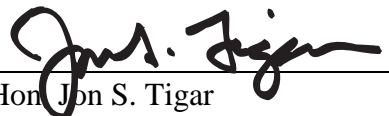
May 11, 2018 – Deadline for expert disclosures

May 30, 2018 – Deadline for expert rebuttal

June 8, 2018 – Deadline to complete expert discovery

June 21, 2018 – Deadline to file dispositive motions

DATED: February 21, 2018


Hon. John S. Tigar
United States District